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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/611,458  | 07/01/2003  | Scott Johnston       | 06119.00007         | 1628             |
| 22908   | 7590        | 12/07/2005           | EXAMINER            |                  |
| BANNER & WITCOFF, LTD.<br>TEN SOUTH WACKER DRIVE<br>SUITE 3000<br>CHICAGO, IL 60606 |             |                      | KYLE, CHARLES R     |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             |                      | 3624                |                  |

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|   |                          |                  |
|---|--------------------------|------------------|
| <b>Notice of Non-Compliant<br/>Amendment (37 CFR 1.121)</b> | Application No.          | Applicant(s)     |
|   | 10/611,458               | JOHNSTON ET AL.  |
|   | Examiner<br>Charles Kyle | Art Unit<br>3624 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on August 31, 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- 1. Amendments to the specification:
  - A. Amended paragraph(s) do not include markings.
  - B. New paragraph(s) should not be underlined.
  - C. Other \_\_\_\_\_.
- 2. Abstract:
  - A. Not presented on a separate sheet. 37 CFR 1.72.
  - B. Other \_\_\_\_\_.
- 3. Amendments to the drawings:
  - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - C. Other \_\_\_\_\_.
- 4. Amendments to the claims:
  - A. A complete listing of all of the claims is not present.
  - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - D. The claims of this amendment paper have not been presented in ascending numerical order.
  - E. Other: See Continuation Sheet.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/ropa/preognitice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

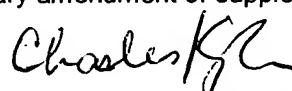
1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

**Extensions of time** are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.



Continuation of 4(e) Other: Restricted Groups I and II were as follows: Group I - Claims 1-15 and 23-35, drawn to portfolio and risk management, classified in class 705, subclass 36 R. Group II - Claims 16-22, drawn to trading and matching, classified in class 705, subclass 37. Applicant has incorrectly elected Claims not in the original Groups at page 8 of the response. Applicant incorrectly elects Group II and then withdraws the Claims. Applicant's intent is unclear. Correction is required.